IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

WP(C).No. 22754 of 2007(H)

PETITIONER:

C.K.GANGADHARAN VAIDYER,
S/O.LATE KONNAN VAIDYAR,
MANAGING PARTNER, REENA MEDICALS,
TRIPRAYAR, TRISSUR DT.

BY ADV. SMT.P.V.ASHA

RESPONDENTS:

1. STATE OF KERALA, REP. BY THE SECRETARY TO GOVT., HEALTH & FAMILY WELFARE DEPT., SECRETARIAT, TRIVANDRUM.

2. THE ASST. DRUGS CONTROLLER & LICENSING AUTHORITY, THRISSUR.

BY G.P. SHRI.BENCHAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24.7.2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.22754 of 2007

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Dated this the 24th day of July, 2007

J U D G M E N T

The petitioner challenges Ext.P8 order of the Assistant Drugs Controller and Licensing Authority, by which the petitioner's licence to run a medical shop has been suspended as a punishment for alleged violation of the conditions of the licence issued to the petitioner. Petitioner's contention is that although a remedy by way of appeal is provided under the Drugs and Cosmetics Act, since the order takes effect immediately, the petitioner may be given some time to seek interim orders from the appellate authority.

2. I have heard the learned Government Pleader also.

3. After hearing both sides, I direct the 2nd respondent to keep Ext.P8 order in abeyance for a period of two weeks so that the petitioner can move the appellate authority for filing an appeal and moving for interim orders. Ext.P8 order shall not be implemented for a period of two weeks.

Writ petition is disposed of as above.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

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P.A. to Judge.